REMARKS/ARGUMENTS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. Claims 6-18 remain pending.

A. DUPLICATE CLAIM OBJECTION

Examiner advises that should claim 6 be found to be allowable, then claim 18 will be are objected to as being a substantial duplicate thereof. Applicant respectfully disagrees. Claim 18 is written in means plus function format while claim 6 is not. Therefore, the scopes of the claims are not necessarily equivalent. Applicant respectfully requests that the claims be treated accordingly.

B. PATENTABILITY OF THE CLAIMS

In the Office Action, the Examiner rejects claims 6-13 and 18 under 35 U.S.C. § 102(e) as allegedly being anticipated by Shimizu (U.S. Publication No. 2004/0012812); and rejects claims 14-17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shimizu. Applicant respectfully traverses.

A non-limiting aspect of the present invention relates to an information processing apparatus that is provided with means for storing information to be processed and is capable of operating means for invalidating the information. *See e.g., original specification, p.1, ll.10-13.*. In conventional printers, it is

known that conventional products have a function to back up information associated with the processing on standby in order that even when the power is turned off while the processing is on standby, the image output can be performed after the power is turned on again. *Specification, p.3, ll.1-5.*

Furthermore, it is known about problems of the conventional printers having such a backup function that the information is not deleted but is stored even after the power is turned off. For this reason, information such as image data can be taken out to the outside, for example, by reading out the information from an external apparatus or detaching the storing means, so that it is difficult to maintain the confidentiality of the information being handled. *Specification, p.3, ll.14-19.*

One of the objects of the present invention is to provide an information processing apparatus capable of maintaining the confidentiality of the information to be processed, by limiting the function to back up the stored information. *Specification, p.3, l.22 p.4, l.1.*

FIG. 1 illustrates a non-limiting embodiment of a printer 1 that achieves the above described and other objects. As seen, the printer is provided with a main power 110, which receives power from the external commercial power and supplies power to the entire printer 1. *Specification, p.10, ll.20-22.* As seen in FIG. 4 which is a non-limiting example flow chart showing printer 1 operation procedures, in case that the contents of the management information represent that the printer 1 is in a condition where the security program executes (S3:

YES), ... since no power is supplied from the backup part 105 to the management part 104 and the main power 110 is turned off, the job management table stored in the management part 104 which is a memory is deleted. In case that the main power 110 is turned on again, since the job management table including the information on the storage area of the image data stored in the storage part 106 is deleted, the access to the image data is difficult. *Specification, p.16, ll.2-15.*

Further, in case that the contents of the management information do not represent that the printer 1 is in a condition where the security program executes at step S3 (S3: NO), the control part 101 operates the backup part 105 and turns off the main power 110 in accordance with the control program and the security program stored in the ROM 109 (S5). In this case, since the job management table is held, the stored image data can be processed after the restart of the printer 1. *Specification, p.16, ll.15.22.*

As seen, turning off the main power triggers the steps performed for the backup function according to the inventive aspect. Claim 6 is amended to recite "the limitation performed by the limiting unit is prevented, when the power switch is turned off and the invalidating unit is not operable." In contrast, Shimizu does not disclose that the limiting step is triggered by turning off the main power. Therefore, Shimizu does not disclose at least this recited feature. Claims 7 and 8 are similarly amended. This is sufficient to distinguish 6, 7 and 18 over Shimizu.

But in addition, independent claim 6 recites a resuming unit and a limiting unit. The resuming unit operates to resume the information processing when the information processing is temporarily stopped. Example of temporary stoppage the Examiner provides is when the printer 100 having lost power is powered up. *See Office Action, page 4.* Upon resuming, the information processing is based on the processing contents data which is not changed between pre- and post-resuming. The limiting unit limits the operation of the resuming unit when the invalidating unit is operable. The operation is such that the information processing is allowed to be resumed after deleting a part or all of the processing contents data recorded in the management record unit. In other words, when the invalidating unit is operable, then upon resumption, deleting of the processing contents data precedes any information processing.

Shimizu teaches exactly the opposite. In the Office Action, Examiner alleges that Figs. 10-11 depict the operation of the resuming unit. *See Office Action, page 5 third paragraph.* Examiner specifically indicates that the resuming corresponds to the CPU executing the logic of Figs. 10-11 after the printer was powered again up having lost power for awhile. For sake of argument, Applicant assumes that Figs. 10-11 does illustrate a process that the printer of Shimizu performs after a temporary stoppage, such as upon power up. In step S1004, the CPU determines whether or not there is a job to be processed by the multi-function machine 401 (i.e., the printer). If so, the

job is read from the hard disk 506 and processed. *See steps S1005-S1008 in Fig. 10; paragraphs [0173]-[0182].* Only after the completion of the job processing, steps are performed to erase the job depending on the security level of the job itself. *See Fig. 11, steps S1013-S1023; paragraphs [0183]-[0191].* In other words, the deletion of the printer control data at step S1022 (which the Examiner alleges to be equivalent to the claimed deletion of processing contents data) takes place after the job is processed. Thus, even if it is assumed that Figs. 10-11 of Shimizu represents a resumption operation after a temporary stoppage, Shimizu teaches exactly the opposite of the claimed feature.

In an apparent recognition of this deficiency, the Examiner states "print control data is commonly deleted at step S1022 after it is processed at steps S1010, S1014, S1012, some or all of the control data would have been deleted from memory 106 before the printer had lost power, i.e. before the logic of Figs. 10-11 executed." *See Office Action, page 5, bottom five lines.* Even if the Examiner's assertion is taken to be true, deleting control data before the printer having lost power is irrelevant since this is before the temporary stoppage. The claim recites apparatus elements that perform operations upon resumption of operations, i.e. after the temporary work stoppage.

In short, independent claim 6 requires deletion of part or all of the processing contents data prior to information processing upon resumption of operation after temporary stoppage. In direct contrast, Shimizu discloses

information processing prior to the deletion of the job which has been processed. This is sufficient to distinguish claim 6 from Shimizu.

Also in addition, claim 6 also recites, in part "wherein ... if the storage unit successively stores the data to be processed, the control unit controls to carry out successive information processing about data to be processed having already stored in the storage unit." In other words, storing data to be processed in the storage unit and information processing of the data to be processed stored in the storage unit take place simultaneously, i.e. in parallel.

Shimizu describes an image memory section 505 including a hard disk for storing the read image of the original, information of association between jobs and security levels, and so on. *See paragraph [0127].* Shimizu also describes erasing of images, information of association between jobs and security levels after the printing process. *See e.g. paragraphs [0099]-[0106].* Shimizu only describes processing jobs one at a time and erasing the data of the job immediately after processing and before processing a next job. That is, Shimizu operates in a serial manner of receiving a print request executing the printing process and erasing data after executing the printing before proceeding to receive the next printing request. *See e.g. Fig. 2.* Thus, Shimizu does not teach the feature of successively storing the data to be processed while carrying out the successively information processing of the data to be processed.

For these and other reasons, independent claim 6 is distinguishable over Shimizu. For similar reasons, independent claims 7 and 18 are also distinguishable over Shimizu. Claims 8-17 are distinguishable over Shimizu by virtue of their dependencies from independent claims as well as on their own merits.

Applicant respectfully requests that the rejection of claims 6-18 based on Shimizu be withdrawn.

C. CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Should there be any outstanding matters that need to be resolved, the Examiner is respectfully requested to contact Hyung Sohn (Reg. No. 44,346), to conduct an interview in an effort to expedite prosecution in connection with the present application.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____
Harold N. Sohn
Reg. No. 44,346

HNS/edg
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100